

Children & Family Affairs Committee Amendment No. 1

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2343*

House Bill No. 2299

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 9, Chapter 6 Part 1, is amended by adding the following language as a new appropriately designated section.

(a) Except as otherwise provided in subsection (b), on and after July 1, 1998, no state funds appropriated specifically for child advocacy centers shall be allocated or paid to any such center unless the center clearly demonstrates that it:

(1) is a non-profit corporation which has received a determination of exemption from the internal revenue service under 26 United States Code § 501(c)(3);

(2) employs an executive director who is answerable to the board of directors and who is not the exclusive salaried employee of any governmental entity signing the memorandum of understanding and working protocol identified in item (3) below;

(3) has a signed memorandum of understanding and working protocol executed among:

(A) the department of children's services,

(B) all county and municipal law enforcement agencies within the geographical area served by the center,

(C) all district attorney offices within the geographical area served by the center, and

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(D) any other governmental entity which participates in child abuse investigations or offers services to child abuse victims within the geographical area served by the center;

(4) facilitates the use of a multidisciplinary team (representing prosecution, law enforcement, mental health, medical, child protective and social services professionals and the juvenile court) which jointly:

(A) assesses victims of child abuse and their families, and

(B) determines the need for services;

(5) provides a facility, located in a neutral, child-friendly and physically separate space from the day-to-day operations of the governmental entities signing the memorandum of understanding and working protocol identified in item (3) above, at which facility the multidisciplinary team meets to coordinate the efficient and appropriate disposition of child abuse cases through the civil and criminal justice systems;

(6) provides for the provision of needed services, referral to such services, and case tracking; and

(7) has written policies and procedures consistent with standards established by the national network of children's advocacy centers.

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(b) On and after July 1, 1998, no state funds appropriated specifically for one-time, start-up assistance for new child advocacy centers shall be allocated or paid to any such center unless the center clearly demonstrates that it:

(1) has a signed memorandum of understanding and working protocol executed among:

(A) the department of children's services,

(B) all county and municipal law enforcement agencies within the area served by the center,

(C) all district attorney offices within the area served by the center, and

(D) any other governmental entity which participates in child abuse investigations or offers services to child abuse victims within the area served by the center; and

(2) has formally filed application for a determination of exemption from the internal revenue service under 26 United States Code § 501(c)(3).

After receiving any such start-up assistance, no additional state funds appropriated specifically for child advocacy centers shall be allocated or paid to such center unless the center clearly demonstrates that it complies with the enumerated requirements set forth in subsection (a) above.

(c) Notwithstanding any other provision of this act to the contrary, the department of children's services or any other department administering state funds

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specially appropriated for child advocacy centers shall continue to allocate and/or pay such funds to existing child advocacy centers with active applications on file with the department if such centers demonstrate satisfactory progress in efforts to achieve compliance with the provisions of this act.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

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